



Dorset County Council

Planning and Regulation Team

County Hall
Colliton Park
Dorchester
DT1 1XJ

Telephone: 01305 225136

Minicom: 01305 267933

We welcome calls via text Relay

Email: c.a.mckay@dorsetcc.gov.uk

Website: www.dorsetforyou.com

Date: 1 February 2019

Ask for: Carol McKay

My ref: CAM RW/P178

Official

Harry Alexander
Open Spaces Society
BY EMAIL
[REDACTED]

Dear Mr Alexander

SECTION 119, HIGHWAYS ACT 1980 PROPOSED DIVERSION OF FOOTPATH 51, DORCHESTER AND FOOTPATH 6, WINTERBORNE MONKTON

Thank you for your response to the above consultation. The concerns raised have been discussed with the applicant and advice sought from Dave Ackerley (Senior Ranger) and Highways England.

With regards to the specific points that you raise;

- **The proposed diversion is an extremely long diversion and as such is at much inconvenience to the Public, in law it is far less commodious and therefore the OSS would strongly object to either of the diversions proposed.**

The increase in length of the footpath must be balanced against the danger and inconvenience of crossing the A35, and the steep slopes between A and B which for some users renders the footpath unusable. The section from A – B – B1 cannot be used by wheelchair or mobility scooter users, pushchairs, or people with impaired mobility. It is also particularly hazardous for walkers with young children or dogs.

- **It appears that there is no reason to divert either PRow other than to benefit the land owner, which would be unacceptable.**

Subject to fulfilling the legal requirements of the diversion order, Dorset County Council may make an order to divert any public right of way. The proposed diversion is in the interest of both the landowner and the public and officers are satisfied that the legal tests are met. The safety improvements for the public using the footpath are indisputable, since the current route puts walkers in danger due to the speed and volume of traffic at the crossing point.

Highways England support the footpath diversion as it “will remove an existing at grade pedestrian crossing of the A35 where the national speed limit applies”.

Mike Harries, Director for Environment and Economy

Working together for a strong and successful Dorset

- **Since the land owner is amenable to change the status of the Permissive way, I would suggest an upgrade for both Permissive Ways to become Public Rights of Way, particularly where there is safe passage along the underpass.**

This would not resolve the dangerous road crossing and is therefore not a desirable option.

Your comments will be treated as public information (please refer to the Data Protection information at the end of this email) and may be incorporated into the report which will be made to the Regulatory Committee. It is anticipated that the case will be considered on 21 March 2019, but this will be confirmed in writing nearer the time. Members of the public are allowed limited public speaking at a Committee meeting and further details will be given when you are notified of the date of the Regulatory Committee.

Yours sincerely

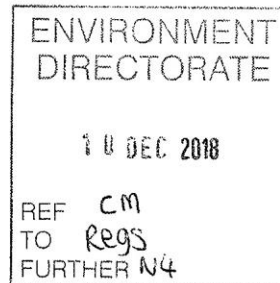
Carol McKay

Carol McKay
Definitive Map Technical Officer
Planning and Regulation Team

Dorset County Council is a Data Controller for the purposes of the General Data Protection Regulation 2016. This Act regulates how we obtain, use and retain personal information. The information you supply will be used for the purpose of fulfilling our functions and duties, including those under the Highways Act 1980, Town and Country Planning Act 1990 and the Wildlife and Countryside Act 1981. Any information provided, including personal details will be available for public inspection, disclosed to interested third parties and may be used during public inquiries and other proceedings. The information will be kept indefinitely. By replying to this correspondence you are consenting to your personal information being retained and used for these purposes. Further information about the use of personal information and data protection is available on our web-site at www.dorsetforyou.com or by contacting the Council's Data Protection Officer.

cc Duchy of Cornwall
 Dave Ackerley, Senior Ranger, Dorset County Council

Carol McKay - **Definitive Map Technical Officer**
Dorset Highways
Dorset County Council
County Hall, Colliton Park
Dorchester, DT1 1XJ



28th November 2018

Dear Carol McKay

Re: PROPOSED DIVERSION OF FOOTPATH 2, DORCHESTER AND FOOTPATH 6, WINTERBORNE MONKTON

I write on behalf of the Open Spaces Society, a National Stakeholder with regards to the above proposal.

Both of these Public Rights of Way are well established routes, in particular FP2 was the subject of much discussion some 10 years ago when the land owner wished to have the path diverted away from the public at that time. Due to its controversy it was placed on the agenda of the Dorset local Access Forum.

The proposed diversion is an extremely long diversion and as such is at much inconvenience to the Public, in law it is far less commodious and therefore the OSS would strongly object to either of the diversions proposed.

It appears that there is no reason to divert either PRow other than to benefit the land owner, which would be unacceptable.

Since the land owner is amenable to change the status of the Permissive way, I would suggest an upgrade for both Permissive Ways to become Public Rights of Way, particularly where there is a safe passage along the underpass.

Therefore, can you please keep myself informed as to progress/ any future consultation on these two PRow – thank you.

Yours sincerely

Harry Alexander MA MIE



Dorset County Council

Planning and Regulation Team

County Hall
Colliton Park
Dorchester
DT1 1XJ

Telephone: 01305 225136

Minicom: 01305 267933

We welcome calls via text Relay

Email: c.a.mckay@dorsetcc.gov.uk

Website: www.dorsetforyou.com

Date: 1 February 2019

Ask for: Carol McKay

My ref: CAM RW/P178

Official

Kate Gocher
The Ramblers
BY EMAIL
[REDACTED]

Dear Kate

SECTION 119, HIGHWAYS ACT 1980

PROPOSED DIVERSION OF FOOTPATH 51, DORCHESTER AND FOOTPATH 6, WINTERBORNE MONKTON

Thank you for your response to the above consultation. The concerns raised have been discussed with the applicant and advice sought from Dave Ackerley (Senior Ranger) and Highways England.

A. Large holes along the southern edge of the fenced path (the eastern half of the path O-P) most likely badger setts (not active).

With regards to the holes along part of the proposed new route, my colleague Dave Ackerley has inspected these and advises that the badger sett appears to be abandoned and is some distance to the side of the path. It is not necessary to carry out any works at present since the footpath is unaffected. However if an Order is made, it will only be confirmed after inspection and certification by Dorset County Council. Therefore if the badger sett becomes active, appropriate action will be taken.

B. The section O-N runs parallel to the A35, which has a stretch level with, and close to the road, with only a post and wire fence between walkers and the road, without a safety barrier.

Your request was passed to Highways England who are responsible for this section of the A35. They support the footpath diversion since it "will remove an existing at grade pedestrian crossing of the A35 where the national speed limit applies. Whilst there is no record of collisions involving pedestrians at this location, the relocation of the path and hence crossing does reduce risk and is a safety improvement. A controlled at grade crossing at this location is not possible, due to speed of traffic."

Highways England has indicated that it does not have any proposal in its forward programme to introduce such a barrier / extension of the existing barrier. Highways England's Road Safety Team have confirmed that there is "not likely to be a case to require a barrier in this circumstance". It is unlikely that a business case for a barrier at this location would be a good use of "limited public funds". Highways England further advise that a barrier would also require the relocation of the footpath further into the field at this point to be compliant with current standards.

Mike Harries, Director for Environment and Economy

Working together for a strong and successful Dorset

C. The underpass itself has the potential for flooding.

The applicant will carry out works to the underpass to improve drainage and prevent flooding. Before an Order can be confirmed, all agreed works must be carried out and the route inspected and certified by Dorset County Council

D. Alternative route

With regards to the alternative diversion that you have suggested, this has been considered, however other consultees have indicated that the increased length of the new route is a negative factor. Whilst a longer path is preferable to a dangerous road crossing, it is felt that an additional increase in length could inconvenience the public. The applicant consulted with several groups and organisations before creating the proposed new footpath.

From point H, there are permissive routes available north to Middle Farm Way, and also east to Holmead Walk. The route chosen for the footpath diversion ends closer to the original termination point A. Your suggested alternative route terminates 170 metres further east along Middle Farm Way from the proposed termination point at point D, which may be considered to be less convenient.

Your comments will be treated as public information (please refer to the Data Protection information at the end of this email) and may be incorporated into the report which will be made to the Regulatory Committee. It is anticipated that the case will be considered on 21 March 2019, but this will be confirmed in writing nearer the time. Members of the public are allowed limited public speaking at a Committee meeting and further details will be given when you are notified of the date of the Regulatory Committee.

.

Yours sincerely

Carol McKay

Carol McKay
Definitive Map Technical Officer
Planning and Regulation Team

Dorset County Council is a Data Controller for the purposes of the General Data Protection Regulation 2016. This Act regulates how we obtain, use and retain personal information. The information you supply will be used for the purpose of fulfilling our functions and duties, including those under the Highways Act 1980, Town and Country Planning Act 1990 and the Wildlife and Countryside Act 1981. Any information provided, including personal details will be available for public inspection, disclosed to interested third parties and may be used during public inquiries and other proceedings. The information will be kept indefinitely. By replying to this correspondence you are consenting to your personal information being retained and used for these purposes. Further information about the use of personal information and data protection is available on our web-site at www.dorsetforyou.com or by contacting the Council's Data Protection Officer.

cc Jan Wardell, The Ramblers
Duchy of Cornwall
Dave Ackerley, Senior Ranger, Dorset County Council



Ramblers, South Dorset Group
Kate Gocher, Group Footpath Secretary
REDACTED

Mrs C McKay
Definitive Map Technical Officer
Regulation Team
Dorset Highways
County Hall, Colliton Park
Dorchester, Dorset
DT1 1XJ

Phone: REDACTED
Email: REDACTED
www.southdorsetramblers.org.uk

Your Ref: CAM RW/P178
Our Ref: KG/WMD

18 December 2018

Dear Mrs McKay

Section 119. Highways Act 1980
Proposed Diversion of Dorchester Footpath 2 and Winterborne Monkton Footpath 6

Thank you for your e-mailed letter dated 29th October 2018 in respect of the above, together with Drawing 18/20. I am authorised to respond on behalf of the South Dorset Group of the Ramblers.

We were first consulted about a proposed diversion in August 2015, and responded raising several points of concern about the proposed route (currently a Permissive Path), summarised as follows (the lettering applies to the current drawing 18/20):

- A. Large holes along the southern edge of the fenced path (the eastern half of the path O-P) most likely badger setts (not active).
- B. The section O-N runs parallel to the A35, which has a stretch level with, and close to the road, with only a post and wire fence between walkers and the road, without a safety barrier.
- C. The underpass itself has the potential for flooding

I visited the site on 11th December, together with two members of the Area Footpath Committee. We walked both the existing route (with the variation noted in your letter) and the proposed diversion.

Following that visit, I would like to make the following observations in respect of the proposed diversion R-Q-P-O-N-M-L-K-J-I-H-G-F-E-D:

- 1. Point A (above) is still valid.
- 2. Between O-N there is intrusive loud traffic noise.
- 3. Point B above is still valid.
- 4. Point C above is still valid
- 5. The section H-G-F-E-D involves walking along a track, through ongoing development, and the access road of the business park along tarmacked surfaces before reaching Middle Farm Way (B3150).

Based on the above, the Ramblers would object to the diverted route as proposed, principally because of the unacceptability of the section O-N due to its proximity to the road, and the associated traffic noise, pollution, and safety issues. Secondary is the section H-G-F-E-D, which uses vehicular routes.

In our view, the deficiencies in those two stretches of the proposed alternative route are such that it would fail at least one of the tests on confirmation: confirming an order as proposed in this consultation would have a serious deleterious effect on public enjoyment of the paths as a whole.

There is also the fact that, as you state in your letter, "The proposed new footpath has been available as a permissive route for several years." The Ramblers would contend that this would be in effect, the loss of a footpath (A-B-C).

However, I would like to make an alternative suggestion, which would address most of the Ramblers' concerns, and also take into account the needs of the applicant. I have attached an annotated drawing taken from Dorset Explorer to accompany the explanation below of the Ramblers' alternative P-S-T-L-V-W-X-Y.

From west to east: to avoid a cross-field path from P-L (which we anticipate would not be acceptable to the applicant) the proposed alternative route uses existing field boundaries from S-T-L, which the landowner could fence (the existing permissive path is fenced) This route would then avoid the section of that path which has the badger holes, but most importantly would remove the need to walk in close proximity to the A35. I must stress however that we did not walk the alternative route, but most could be seen from the permissive path, or using Google Earth.

Thereafter, the Ramblers' route uses the underpass and track up to point H, but then picks up an existing path on the ground, which is marked with 'pecked lines' on Dorset Explorer. The path runs alongside the walled allotment gardens, through an open green area, with views towards what appears to be an orchard. It then circuits Middle Farm House, before exiting at Middle Farm Way. At this point, it is only a short distance (60 metres) to a controlled pedestrian crossing at Z. This path has a stone surface, appears to be well used, with wooden pedestrian gates.

Although slightly longer than the proposed route, we submit that this alternative would be more enjoyable by removing the sections O-N and H-G-F-E-D with their associations with traffic, and replacing them with 'green' routes.

I trust that the above is of assistance, and thank you for consulting us in this matter. We would be happy to meet you on site to discuss our proposal further. If the matter is to be brought before the Regulatory Committee, please could you let me know.

Yours sincerely,

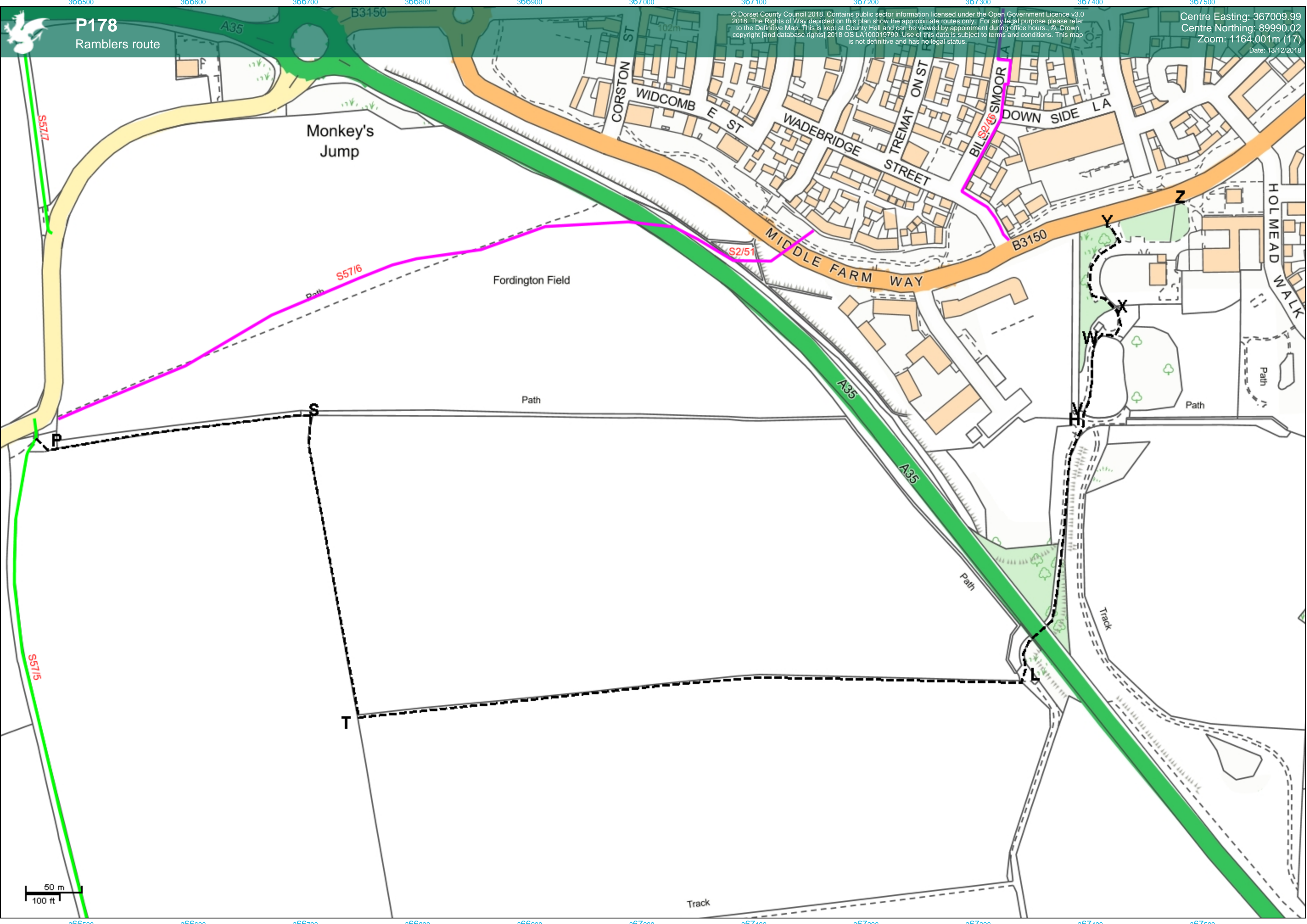
Kate Gocher, Footpath Secretary, South Dorset Group

Copies to:

Jan Wardell, Area Footpath Secretary;

Janet Davis, Advisor Rights of Way

BY E-MAIL



© Dorset County Council 2018. Contains public sector information licensed under the Open Government Licence v3.0 2018. The Rights of Way depicted on this plan show the approximate routes only. For any legal purpose please refer to the Definitive Map. This is kept at County Hall and can be viewed by appointment during office hours. © Crown copyright [and database rights] 2018 OS LA100019790. Use of this data is subject to terms and conditions. This map is not definitive and has no legal status.

Centre Easting: 367009.99
Centre Northing: 89990.02
Zoom: 1164.001m (17)
Date: 13/12/2018



Dorset County Council

Planning and Regulation Team

County Hall
Colliton Park
Dorchester
DT1 1XJ

Telephone: 01305 225136

Minicom: 01305 267933

We welcome calls via text Relay

Email: c.a.mckay@dorsetcc.gov.uk

Website: www.dorsetforyou.com

Date: 1 February 2019

Ask for: Carol McKay

My ref: CAM RW/P178

Official

David Green
BY EMAIL

Dear Mr Green

SECTION 119, HIGHWAYS ACT 1980 PROPOSED DIVERSION OF FOOTPATH 51, DORCHESTER AND FOOTPATH 6, WINTERBORNE MONKTON

Thank you for your response to the above consultation. The concerns raised have been discussed with the applicant and advice sought from Dave Ackerley (Senior Ranger) and Highways England.

With regards to the specific points that you raise;

A. Public Enjoyment of the Current and Proposed Routes.

A1 Views

There is a hedge alongside the proposed new route between point O1 and point P (approximately 227 metres long) which partly obscures the view to the south. However, the proposed new footpath between points M – N – O – O1 (approximately 764 metres long) is double fenced and there are unobstructed views to the south. Therefore it is not considered that the public's access to good views of the landscape are adversely affected by the new route.

A2 Openness

The proposed new route retains access to farmland with views to the south along part of the path, before crossing the A35 safely via an underpass and connecting with Middle Farm Way at a location close to the original starting point.

A3 Accessibility and Adverse Surroundings

The current route is only available for able-bodied walkers as it crosses Middle Farm Way before ascending and descending a slope and crossing the A35, therefore the proposed new route, which is more accessible and safer for all walkers is arguably as enjoyable as the current footpath.

Highways England support the footpath diversion as it "will remove an existing at grade pedestrian crossing of the A35 where the national speed limit applies

With regards to the badger sett, my colleague Dave Ackerley, has inspected this and advises that the sett appears to be abandoned and is some distance to the side of the path. It is not necessary to

Mike Harries, Director for Environment and Economy

Working together for a strong and successful Dorset

carry out any works at present since the footpath is unaffected. However if an Order is made, it will only be confirmed after inspection and certification by Dorset County Council. Therefore if the badger sett becomes active, appropriate action will be taken.

The applicant will also carry out works to the underpass to improve drainage and prevent flooding. Before an Order can be confirmed, all agreed works must be carried out and the route inspected and certified by Dorset County Council.

B. Benefit to Land Management

B1. Cost Benefit and B2. Stock Management Benefit

The benefit to the landowner of the proposed diversion is that the new route follows a clearly defined field edge fenced path, enabling better land management with lower risk of dogs fouling cropped fields or worrying livestock. The tenant farmer has lost sheep in the past to dogs which have been allowed to run freely across the field.

C. Increased Cost to the Highway Authority.

In terms of regular maintenance, the current footpath requires some vegetation clearance between A – B (Dorset County Council's responsibility) as well as reinstatement of cropped path B – C and maintenance of furniture (landowner's responsibility). The proposed new route will require hedge cutting and some other side vegetation clearance (landowner's responsibility). It is not anticipated that the proposed new route would increase the cost to Dorset County Council. The applicant has suitable machinery for vegetation clearance along the enclosed path so there is no concern about future maintenance of the footpath.

Your comments will be treated as public information (please refer to the Data Protection information at the end of this email) and may be incorporated into the report which will be made to the Regulatory Committee. It is anticipated that the case will be considered on 21 March 2019, but this will be confirmed in writing nearer the time. Members of the public are allowed limited public speaking at a Committee meeting and further details will be given when you are notified of the date of the Regulatory Committee.

Yours sincerely

Carol McKay

Carol McKay
Definitive Map Technical Officer
Planning and Regulation Team

Dorset County Council is a Data Controller for the purposes of the General Data Protection Regulation 2016. This Act regulates how we obtain, use and retain personal information. The information you supply will be used for the purpose of fulfilling our functions and duties, including those under the Highways Act 1980, Town and Country Planning Act 1990 and the Wildlife and Countryside Act 1981. Any information provided, including personal details will be available for public inspection, disclosed to interested third parties and may be used during public inquiries and other proceedings. The information will be kept indefinitely. By replying to this correspondence you are consenting to your personal information being retained and used for these purposes. Further information about the use of personal information and data protection is available on our web-site at www.dorsetforyou.com or by contacting the Council's Data Protection Officer.

cc Duchy of Cornwall
 Dave Ackerley, Senior Ranger, Dorset County Council

Dorset Highways
County Hall
Colliton Park
Dorchester
DT1 1XJ

REDACTED

19th November 2018

Dear Mrs McKay,

SECTION 119, HIGHWAYS ACT 1980
PROPOSED DIVERSION OF FOOTPATH 2 DORCHESTER and FOOTPATH 6, WINTERBORNE MONKTON

Objections to the Proposal

Thank you for the opportunity to comment on the proposed diversion. I object to the proposal on the grounds that the diversion would adversely effect the public enjoyment of the footpath as a whole, that the gains to land management are minimal and the costs to the Highway Authority are likely to increase.

A. Public Enjoyment of the Current and Proposed Routes.

A1. Views.

The AONB surrounding current FP6 is noted for its open views of rolling farmland and the Maiden Castle silhouette. Views to the South from the current and proposed paths are compared below:



This view of Maiden Castle and the Great Barrow and the countryside as far as Came Woods was taken from FP6 late afternoon 17th November, 2018. A similar view South is available along all of its length.

By contrast looking in the same southerly direction from the proposed path a few moments later, provides the following view for more than half its length.



A2. Openness.

The existing path across a field provides a feeling of freedom and openness, not only for the landscape but also the sky, with skylarks and warblers in the summer and flocks of lapwing, golden plover and starling for much of the winter and of course wheeling buzzards year round. This contrasts starkly with the almost claustrophobic hedge and stock fence enclosure of the proposed path.



In this context it should be noted that this path is already overgrown in places with its width narrowed to well below the minimum 2m requirement:



A3. Accessibility and Adverse Surroundings.

As already noted above, the current path is open, tranquil and benefits from magnificent views. By contrast for more than half of its course, the proposed route runs either alongside a very noisy trunk road or through an industrial estate (business park!). Another few hundred meters is spent in a gulley with no views, leading to a muddy and often flooded under pass. This has visual as well as accessibility implications.

In addition, the proposed route as currently available, has four gates within the enclosed section in addition to those at each end.

For more than two years now a section has been undermined by badger or rabbit burrows. These are not easily dealt with and are very likely to restrict access at some stage.



B. Benefit to Land Management

B1. Cost Benefit.

Clearly if FP6 is diverted from across the field to the enclosed path along its edge, then the landholder will derive some cost benefit from not having to reinstate the path annually and regaining the path surface for agriculture. The latter is offset by the fact that land benefit will be lost along the proposed new path.

Most farmers nowadays reinstate footpaths by driving a tractor up and down the line a couple of times to compress the soil and suppress the crop. Compared with the cost of ploughing, harrowing and sowing the field this is surely minimal, probably a few tens of pounds per year.

In any case, whatever cost saving is so made, it should be more than offset by the extra costs of controlling overgrowth along the proposed new route. Mechanical thrashing of a hedge inside a 2m wide enclosed path is notoriously difficult without specialised equipment. If the work has to be carried out by hand along a length of 300-400m then the costs will run into hundreds, not tens of pounds!

In addition there is the extra cost burden of maintaining the new path's fences and gates so that all in all, I expect that there would be no net cost benefit to the landholder arising from implementation of the proposal.

B2. Stock Management Benefit.

It can be argued that confining walkers to the enclosed margins lessens the risks to stock management particularly from dogs. However, throughout Dorset there are many thousands of acres where livestock particularly sheep, co-exist with footpaths and dog walkers. Nearby Maiden Castle is a typical example where despite its popularity with local dog walkers, local farmers are happy to rent the land for sheep grazing.

With the enclosed path in place, farm access to livestock in the field currently crossed by FP6 is likely to be via the two double gates in the livestock fences. Presumably these will be kept locked when not in use and will also need to be maintained

In summary, in my view, a better approach by the applicant to the whole issue surrounding the Public Rights of Way in and around Poundbury would be to leave the existing rights intact but in addition, make the permissive paths as attractive to walkers as possible thereby decreasing the use of the public route. This approach has been adopted quite successfully by other landholders and householders in Dorset. It is popular with walking groups and is indicative of a social awareness in organisations often perceived as being indifferent to public concerns.

C.Increased Cost to the Highway Authority.

Whilst the cost of maintaining public footpaths in respect of overgrowth and furniture should properly fall to the landholder, in Dorset this is seldom the case. In fact, none of the Dorset HA's have recovered any costs from landholders arising from maintenance work carried out by the Rangers for the last year at least.

This means that should the landholder fail to maintain the hedges along the proposed new route, or the gates etc., taking note that the proposed route is already overgrown, then the costs of maintenance are likely to fall to the HA. Unfortunately the alternative of enforcement can be even more costly and is seldom employed by DCC.

By contrast, although the existing route at its western end is occasionally overgrown and has been cleared at HA expense, most of the route outside the bypass is over open agricultural land with no enclosing fences, hedgerows or burrowing wildlife. The associated costs of maintenance are correspondingly less.

Yours faithfully,

David Green

From: [Carol McKay](#)
Sent: 20 November 2018 12:47
To: '[Louise Dowell](#)'
Subject: RE: Section 119, Highways Act 1980, Proposed Diversion of Footpath 2, Dorchester and Footpath 6, Winterborne Monkton
Attachments: [Section 119, Highways Act 1980, Proposed Diversion of Footpath 2, Dorchester and Footpath 6, Winterborne Monkton](#)

Dear Louise

Thank you for your email.

The pre-application consultation was for Winterborne Monkton so you would not have been consulted initially.

The proposal was subsequently amended to include Dorchester.

Kind Regards

Carol

Carol McKay

Definitive Map Technical Officer

Planning and Regulation Team

Dorset County Council

County Hall, Colliton Park

Dorchester

Dorset

DT1 1XJ

Tel: 01305-225136 | Mob: 07770 970637 | c.a.mckay@dorsetcc.gov.uk

Our website - Do it on-line: <http://www.dorsetforyou.com>

Follow us on Twitter: <http://www.twitter.com/dorsetforyou>

Facebook: <http://www.facebook.com/dorsetforyou>

Information about Public Rights of Way: <https://www.dorsetforyou.gov.uk/countryside-coast-parks/countryside-coast-and-parks.aspx?folderIds=5538,20334>

Dorset County Council is a Data Controller for the purposes of the General Data Protection Regulation 2016. This Act regulates how we obtain, use and retain personal information. The information you supply will be used for the purpose of fulfilling our functions and duties, including those under the Highways Act 1980, Town and Country Planning Act 1990 and the Wildlife and Countryside Act 1981. Any information provided, including personal details will be available for public inspection, disclosed to interested third parties and may be used during public inquiries and other proceedings. The information will be kept indefinitely. By replying to this correspondence you are consenting to your personal information being retained and used for these purposes. Further information about the use of personal information and data protection is available on our web-site at www.dorsetforyou.com or by contacting the Council's Data Protection Officer.

From: [Louise Dowell](#)
Sent: 19 November 2018 12:31
To: [Carol Mckay](#)
Subject: Section 119, Highways Act 1980, Proposed Diversion of Footpath 2, Dorchester and Footpath 6, Winterborne Monkton

Dear Carol

With regards to your letter dated 29 October 2018, the Town Council's Planning and Environment Committee considered the proposed diversion of Footpath 2 and 6 at its meeting on 5 November 2018.

During discussion of this item, a point was raised about a previous proposal to divert footpath(s) in this area and some problems that had arisen with access through the underpass under the bypass. Members supported the current proposal subject to confirmation that previous problems had been resolved.

I wasn't aware of the issues raised and having checked back through previous committee minutes I can't find anything recorded in relation to this but said I would mention this when submitting our response.

With regards

Louise

Louise Dowell
Clerk to the Planning and Environment Committee
Dorchester Town Council,
19 North Square, Dorchester, Dorset DT1 1JF
Tel: 01305 266861
(Working days Monday and Tuesday)

From: [Cllr. Les Fry](#)
Sent: 30 July 2019 09:23
To: [Carol Mckay](#)
Subject: RE: Foot path question

Dear Carol

I actively support this diversion.

I very regularly travel between Dorchester and Martinstown and have rarely seen people walking on the current path across the field, therefore I consider it little used.

The main reason for the little use is in my opinion having to cross the very busy A35 onto Poundbury in order to continue ones walk.

With almost 28 years in the Police service, protecting peoples from harm has always been one of my key objectives. Very early in my career I went to a fatal accident where a young lad had tried to cross a busy road, but failed to make it.

Having walked both routes on several occasions , I know that the alternative route is accessible and safe, albeit a little longer.

I consider this diversion a significant factor in helping to keep people save and prevent harm.

I therefore fully support this application.

Les

Cllr Les Fry
Dorchester West

From: [Carol McKay](#)
Sent: 25 July 2019 16:31
To: [Cllr. Les Fry](#)
Subject: RE: Foot path question
Attachments: [RE: Foot path question](#)

Dear Cllr Fry

The main issues raised relate to the public enjoyment and convenience of the proposed new route. Part of the legal test for a diversion is that the new route must be as enjoyable and as convenient as the current one. So length, views, termination points and other matters are considered.

In particular the objectors have raised the following matters – inferior views from the new route, its proximity to the road O – N, the character of the route through the business park, the double fenced aspect of the route, concerns about the surface due to a badger sett next to the route and flooding at the underpass. It is also suggested the route is too long and therefore inconvenient, with too many gates, and that it would not benefit the landowner in terms of land management as stated (the application is for a diversion in the interest of both the landowner and the public) and would be more expensive to maintain.

There is support for the diversion from Highways England and Dorchester Town Council.

I have consulted Cllr Biggs who has no objection and Cllr Tarr (no comments received) as the local members.

Please let me know if you wish to comment on the application, as I have not yet submitted my report for clearing.

Kind Regards

Carol

Carol McKay

Definitive Map Technical Officer
Planning and Community Services
Dorset Council

01305 225136

07770 970637

dorsetcouncil.gov.uk

[Facebook.com/DorsetCouncilUK](https://www.facebook.com/DorsetCouncilUK)

[Twitter.com/DorsetCouncilUK](https://twitter.com/DorsetCouncilUK)

[Instagram.com/DorsetCouncilUK](https://www.instagram.com/DorsetCouncilUK)

To receive the latest news from Dorset Council by email, visit

dorsetcouncil.gov.uk/e-newsletter

From: [Cllr. Les Fry](#)
Sent: 25 July 2019 16:00
To: [Carol Mckay](#)
Subject: RE: Foot path question

Dear Carol

Many thanks, very helpful.

What are the nature of the objections please?

Although the new path is longer it is much safer, as I have concerns for the welfare of anyone trying to cross that road.

Regards

Les

From: [Carol McKay](#)
Sent: 25 July 2019 15:58
To: [Cllr. Les Fry](#)
Subject: RE: Foot path question
Attachments: [Foot path question](#)
[18-20.jpg](#)
[18-20-1.jpg](#)

Dear Cllr Fry

There is an ongoing application to divert footpath 51 Dorchester and Footpath 6, Winterborne Monkton (see attached consultation documents – note the consultation labelled one of the footpaths incorrectly – this is amended on the second plan 18/20/1).

We have received objections to the diversion so it is due to be considered at the Strategic Planning Committee in September.

Please let me know if you need any more information.

Regards

Carol

Carol McKay

Definitive Map Technical Officer

Planning and Community Services

Dorset Council

01305 225136

07770 970637

dorsetcouncil.gov.uk

[Facebook.com/DorsetCouncilUK](https://www.facebook.com/DorsetCouncilUK)

[Twitter.com/DorsetCouncilUK](https://twitter.com/DorsetCouncilUK)

[Instagram.com/DorsetCouncilUK](https://www.instagram.com/DorsetCouncilUK)

To receive the latest news from Dorset Council by email, visit

dorsetcouncil.gov.uk/e-newsletter

From: [Cllr. Les Fry](#)
Sent: 25 July 2019 15:45
To: [Carol Mckay](#)
Subject: Foot path question

Dear Carol

What is the situation with the path across the field towards Monkeys Jump on Poundbury, Dorchester (the path that runs through the middle of the field) Having had talks with the Duchy I am aware that a new path is in place and there are plans to close the one that runs through the middle of the field.

Can you help please?

Kind Regards

Les

Cllr Les Fry
Dorchester West Councillor
Dorset Council

Cllrles.fry@dorsetcouncil.gov.uk

dorsetcouncil.gov.uk

[Facebook.com/DorsetCouncilUK](https://www.facebook.com/DorsetCouncilUK)
[Twitter.com/DorsetCouncilUK](https://twitter.com/DorsetCouncilUK)
[Instagram.com/DorsetCouncilUK](https://www.instagram.com/DorsetCouncilUK)

To receive the latest news from Dorset Council by email, visit
dorsetcouncil.gov.uk/e-newsletter

From: [Carol McKay](#)
Sent: 29 October 2018 10:58
To: Nick Ireland
Subject: RE: P178 CONSULTATION: PROPOSED DIVERSION OF FOOTPATH 2 DORCHESTER AND FOOTPATH 6, WINTERBORNE MONKTON
Attachments: [RE: P178 CONSULTATION: PROPOSED DIVERSION OF FOOTPATH 2 DORCHESTER AND FOOTPATH 6, WINTERBORNE MONKTON](#)

Hi Nick

Thanks for your email. The proposed new route via the underpass has been a permissive footpath for some time.

I am not aware of any restrictions on it but a landowner can restrict use on a permissive path. If the diversion is confirmed this will be a public footpath and therefore the right to walk and run along it will be permanently granted.

Kind Regards
Carol

Carol McKay
Senior Definitive Map Officer
Regulation Team

Dorset Highways
Dorset County Council
County Hall, Colliton Park
Dorchester
Dorset
DT1 1XJ

Tel: 01305-225136 | Mob: 07770 970637 | c.a.mckay@dorsetcc.gov.uk

Winner



Best Service Team
Highways, Winter Maintenance
and Street Lighting
APSE Service Awards 2016

Live traffic and travel: dorsetforyou.com/traveldorset - [@TravelDorset](https://twitter.com/TravelDorset) on Twitter
[Report a road problem and make enquiries online](#)



From: Nick Ireland
Sent: 29 October 2018 10:35
To: [Carol Mckay](#)
Subject: RE: P178 CONSULTATION: PROPOSED DIVERSION OF FOOTPATH 2
DORCHESTER AND FOOTPATH 6, WINTERBORNE MONKTON

Hi Carol,

I'm assuming this is the case but can you confirm that if the diversion is approved, the existing permissive path (i.e. the underpass) will become an official RoW with no restrictions.

I know from past membership of Dorchester Athletics Club that we received complaints about our use of it to run out to Maiden Castle and was under the impression that it wasn't permissive, but built purely for the convenience of the farmer when the Dorchester bypass was constructed.

Thanks

Nick

Nick Ireland
DCC Member for Linden Lea
01305 837177
07941 223844

From: [Carol McKay](#)
Sent: 27 August 2019 08:59
To: [Cllr. Roland Tarr](#)
Subject: RE: P178 Application to divert footpath 51 Dorchester and Footpath 6 Winterborne Monkton
Attachments: [RE: P178 Application to divert footpath 51 Dorchester and Footpath 6 Winterborne Monkton](#)

Dear Cllr Tarr

Thank you for your email.

Just to clarify, the application is for a footpath diversion, so the needs of cyclists are not relevant in this case.

If you can let me know your availability for a meeting in the next two weeks I will arrange a meeting with the applicant to discuss your other concerns.

Kind Regards

Carol

Carol McKay

Definitive Map Technical Officer

Planning and Community Services

Dorset Council

01305 225136

07770 970637

dorsetcouncil.gov.uk

[Facebook.com/DorsetCouncilUK](https://www.facebook.com/DorsetCouncilUK)

[Twitter.com/DorsetCouncilUK](https://twitter.com/DorsetCouncilUK)

[Instagram.com/DorsetCouncilUK](https://www.instagram.com/DorsetCouncilUK)

To receive the latest news from Dorset Council by email, visit

dorsetcouncil.gov.uk/e-newsletter

From: [Cllr. Roland Tarr](#)
Sent: 27 August 2019 00:09
To: [Carol Mckay](#)
Subject: RE: P178 Application to divert footpath 51 Dorchester and Footpath 6 Winterborne Monkton

Please delete the previous uncorrected reply sent a few minutes ago!

Dear Miss Mckay

I have walked and cycled the newer proposed route for the footpath on many occasions. It does not give the residents of Poundbury or any of the neighbouring settlements a sensible route to anywhere and does not comply with the Master Plan. It is too narrow for cyclists, who desperately need a commuting route into town, and also has a number of inconvenient gates. It follows the by-pass, which is noisy, polluted and unsightly, too closely. It in no way fulfils local people's needs from either end of its trajectory. The residents of Poundbury also deserve some measure of access to the magnificent surrounding countryside.

I cannot therefore support the application to divert footpaths 6&51 on this occasion.

Should the applicant wish to discuss the wider aspects of access to area more widely and positively, that would be most welcome, and I should be very happy as Ward Member to meet once again.

Yours sincerely

Cllr Roland Tarr

Ward Member for Winterborne and Broadmayne

The Dorset Council

(Winterbourne Abbas, W. Steepleton, Martinstown, Bincombe, W. Monkton, W. Came, Whitcombe, West Stafford, Tincleton, Woodsford, West Knighton and Broadmayne)

From: Carol Mckay <c.a.mckay@dorsetcc.gov.uk>
Sent: 13 August 2019 16:49
To: Cllr. Roland Tarr <cllrroland.tarr@m.dorsetcouncil.gov.uk>
Subject: P178 Application to divert footpath 51 Dorchester and Footpath 6 Winterborne Monkton

Dear Cllr Tarr

I am finalising my report to the Strategic Committee.

Can you let me have any comments that you wish to make on the diversion by the end of next week (23 Aug).

If this is not possible I can include any late comments in the update sheet.

Many thanks

Carol McKay

Definitive Map Technical Officer

Planning and Community Services

Dorset Council

01305 225136

07770 970637

dorsetcouncil.gov.uk

[Facebook.com/DorsetCouncilUK](https://www.facebook.com/DorsetCouncilUK)

[Twitter.com/DorsetCouncilUK](https://twitter.com/DorsetCouncilUK)

From: Richard Biggs
Sent: 04 November 2018 09:13
To: Carol Mckay
Subject: Re: P178 CONSULTATION: PROPOSED DIVERSION OF FOOTPATH 2 DORCHESTER
AND FOOTPATH 6, WINTERBORNE MONKTON

Carol,

I have no objections.

Regards
Richard Biggs
County Councillor Dorchester
Tel 01305 260156
Mob 07810503457

From: FBG.WessexSou <SW_SWESSEXFRB@environment-agency.gov.uk>
Sent: 15 November 2018 14:44
To: Carol Mckay
Cc: FBG.WessexSou
Subject: RE: P178 CONSULTATION: PROPOSED DIVERSION OF FOOTPATH 2 DORCHESTER AND FOOTPATH 6, WINTERBORNE MONKTON

Dear Carol

Having reviewed the attached documents, there are no objections from FBG regarding this proposal.

Kind regards

Alistair

Alistair Homer
Biodiversity Officer
Environment Agency |
Wessex (South) Office,
Rivers House,
Sunrise Business Park,
Higher Shaftsbury Road,
Blandford,
Dorset. DT11 8ST

Alistair.Homer@environment-agency.gov.uk
External: 020 302 58433 | Mobile: +44 (0)7468 711316

From: Wessex Enquiries
Sent: 02 November 2018 15:29
To: Prince, Daniel <daniel.prince@environment-agency.gov.uk>; Barons, Stephanie <stephanie.barons@environment-agency.gov.uk>; FBG.WessexSou <SW_SWESSEXFRB@environment-agency.gov.uk>; Estates Enq <EstatesEnq@environment-agency.gov.uk>
Subject: P178 CONSULTATION: PROPOSED DIVERSION OF FOOTPATH 2 DORCHESTER AND FOOTPATH 6, WINTERBORNE MONKTON

Hi AP BF, S&C (Steph), FBG South & Estates

Please find a notification from Dorset CC.

Wessex Enquiries do not require a response. Any queries or questions should be directed to Dorset CC.

Regards
Corinne Moyse
Customer & Engagement, Wessex
Rivers House, East Quay, Bridgwater, Somerset, TA6 4YS
Direct dial: 02030 250 376
Email: wessexenquiries@environment-agency.gov.uk

From: [Georgia Turner](#)
Sent: 14 November 2018 11:37
To: [Carol McKay](#)
Subject: RE: P178 CONSULTATION: PROPOSED DIVERSION OF FOOTPATH 2 DORCHESTER AND FOOTPATH 6, WINTERBORNE MONKTON
Attachments: [WD_FP_760 MAP.pdf](#)

OUR REF: WD/FP/ 760

Thank you for the consultation in respect of the above.

Wessex Water has no objections to this application:

Please find attached a map showing the approximate location of our services near the site. If the ground levels are to be altered surrounding the public sewers, protection measures must be agreed with our Sewer Protection Team on 01225 526333 or sewer.protection@wessexwater.co.uk

Please send any further footpath diversion applications to planning.consultation@wessexwater.co.uk

Planning Liaison

From: Carol McKay <c.a.mckay@dorsetcc.gov.uk>
Sent: 29 October 2018 10:20
To: Carol McKay <c.a.mckay@dorsetcc.gov.uk>
Subject: P178 CONSULTATION: PROPOSED DIVERSION OF FOOTPATH 2 DORCHESTER AND FOOTPATH 6, WINTERBORNE MONKTON

SECTION 119, HIGHWAYS ACT 1980

PROPOSED DIVERSION OF FOOTPATH 2, DORCHESTER AND FOOTPATH 6, WINTERBORNE MONKTON

Please find attached consultation documents relating to the proposed diversion of Footpath 2, Dorchester and Footpath 6, Winterborne Monkton.

Regards

Carol McKay

Definitive Map Technical Officer
Regulation Team

Dorset Highways
Dorset County Council
County Hall, Colliton Park
Dorchester
Dorset
DT1 1XJ

Tel: 01305-225136 | Mob: 07770 970637 | c.a.mckay@dorsetcc.gov.uk

